

**RHODE ISLAND DEPARTMENT OF LABOR & TRAINING
DIVISION OF PROFESSIONAL REGULATION
MECHANICAL BOARD**

1511 Pontiac Avenue, Bldg 70, 2nd Floor Conference Room

Cranston, RI 02920

Wednesday, April 6, 2016

9:00am

In attendance: Timothy Byrne

Stanley Davies

Steven Gray

Michael Januario

Jack King

Anthony Vessella

Charles Wright

Board Members Dennis Brennan, Robert Eva, Fred Foeri, and Quinlan T. Regan were not in attendance.

Also in attendance were Nicholas Ranone, RIDLT Chief Mechanical Investigator and Valentino Lombardi, Senior DLT Legal Counsel.

1.) Call to Order: Chair, Timothy Byrne called the meeting to order at 9:06am.

2.) Minutes of the March 2, 2016 Meeting: Charles Wright made a motion to accept the minutes of March 2, 2016 meeting as presented; seconded by Stanley Davies and passed unanimously by the Board.

3.) Conflict of Interest – Legal Counsel will address the Board concerning compliance with conflict of interest requirements: Valentino Lombardi, Senior Legal Counsel, reminds board members that they are subject to the RI conflict of interest laws and of their responsibility to disclose conflicts of interest, financial or otherwise, and should recuse from hearing and voting on the matter. Legal Counsel is available for any questions.

4.) Violation Appeal Hearings:

Lamoia, Robert dba Lamoia Construction—Violation 5431

Rescheduled to May 4, 2016.

Board Member Charles Wright made a motion to combine Violation 5416 and 5417 and be heard concurrently. Stanley Davies seconded the motion and the vote by the Board was unanimous.

Patrick Brogan – Violation 5416 Patrick Brogan was in not in attendance.

LOCATION OF VIOLATION: Malcolm Chase (residence), 106 Prospect St., Providence, RI 02906-1445

VIOLATION:

On 12-12-15, I, Nicholas Ranone, Chief Mechanical Investigator, made a site visit to the above mentioned location and approached Mr. Patrick Brogan and Mr. Andrew Santoro, two (2) employees of TJ's Plumbing & Heating Attleboro, MA, at the boiler room on the second floor.

Mr. Brogan was inside the boiler room and admitted that he was in the process of installing a thermostat in the greenhouse and connecting the low voltage wiring at the zone control panel in the boiler room for the control of the heat. Mr. Santoro said he was there just cleaning up and I did not witness him engaging in any work.

After speaking with Mr. Cutler, President of TJ'S Plumbing & Heating, he confirmed that Mr. Brogan was sent there to install a thermostat in the greenhouse and fill the heating system with glycol. Mr. Brogan

does not have any RI pipefitters license that would allow him to engage in this type of work in the State of RI.

This is one (1) violation of RIGL 28-27-6 Corporations and firms engaged in business. (paragraph 2, section b, unlicensed employees).

**Cutler, Timothy J. – TJ's Plumbing & Heating, Inc – Violation 5417
Timothy Cutler was in attendance.**

LOCATION OF VIOLATION: Malcolm Chase (residence), 106 Prospect St., Providence, RI 02906-1445

VIOLATION:

On 12-12-15, I, Nicholas Ranone, Chief Mechanical Investigator, made a site visit to the above mentioned location and approached Mr. Patrick Brogan and Mr. Andrew Santoro, two (2) employees of TJ's Plumbing & Heating Attleboro, MA, at the boiler room on the second floor.

Mr. Brogan was inside the boiler room and admitted that he was in the process of installing a thermostat in the greenhouse and connecting the low voltage wiring at the zone control panel in the boiler room for the control of the heat. Mr. Santoro said he was there just cleaning up and I did not witness him engaging in any work.

After speaking with Mr. Cutler, President of TJ'S Plumbing & Heating, he confirmed that Mr. Brogan was sent there to install a thermostat in the greenhouse and fill the heating system with glycol. Mr. Brogan does not have any RI pipefitters license that would allow him to

engage in this type of work in the State of RI.

This is one (1) violation of RIGL 28-27-6 Corporations and firms engaged in business. (paragraph 2, section b, unlicensed employees).

Nicholas Ranone reads the violations. Four photographs and 1 copy of a mechanical permit application are entered into the record as Exhibit A for Violations 5416 and 5417. Nicholas Ranone is questioned by the Board and testifies. Mr. Cutler is questioned by the Board and testified.

Regarding Violation 5416, a motion was made by Charles Wright that a violation did occur. Anthony Vessella seconded the motion and the Board unanimously agreed.

Regarding the fine for Violation 5416, a motion was made by Jack King to suspend the fine of \$1,500.00 for one (1) year pending no further violation(s) occur within that year. Anthony Vessella seconded that motion and the Board unanimously agreed.

Regarding Violation 5417, a motion was made by Charles Wright that a violation did occur. Steven Gray seconded the motion and the Board unanimously agreed.

Regarding the fine for Violation 5417, a motion was made by Jack King to suspend the fine of \$1,500.00 for (1) year pending no further

violation(s) occur within that year. Charles Wright seconded that motion and the Board unanimously agreed.

Board Member Charles Wright made a motion to combine Violations 5424, 5425 and 5426 and be heard concurrently. Anthony Vessella seconded the motion and the vote by the Board was unanimous.

Santos, Stephen—SS Service Corp—Violation 5424 Stephen Santos was in attendance.

LOCATION OF VIOLATION: Cumberland Farms, 3323 So. County Trail, E. Greenwich, RI. 02818

VIOLATION:

On 1-26-16, I, Nicholas Ranone, Chief Mechanical Investigator, made a site visit to the above mentioned location and witnessed Mr. Peter M. Meunier and Mr. Eric A. Ferreira, two (2) employees of SS Service Corp., Taunton, MA., doing sheet metal work in the attic for the HVAC system. I spoke with Mr. Paul Santos, Vice President of SS Service Corp., about having unlicensed employees on this job site. He said he would remove them from the job.

Mr. Meunier and Mr. Ferreira do not hold a RI sheetmetal license that would allow them to do this type of work in the State of Rhode Island.

This is one (1) violation of RIGL 28-27-6 Corporations and firms engaged in business. (paragraph 2, section b, unlicensed employees.

Meunier, Peter—Violation 5425 Peter Meunier was in attendance.

LOCATION OF VIOLATION: Cumberland Farms, 3323 So. County Trail, E. Greenwich, RI. 02818

VIOLATION:

On 1-26-16, I, Nicholas Ranone, Chief Mechanical Investigator, made a site visit to the above mentioned location and witnessed Mr. Peter M. Meunier and Mr. Eric A. Ferreira, two (2) employees of SS Service Corp., Taunton, MA., doing sheet metal work in the attic for the HVAC system. I spoke with Mr. Paul Santos, Vice President of SS Service Corp., about having unlicensed employees on this job site. He said he would remove them from the job.

Mr. Meunier does not hold a RI sheetmetal license that would allow him to do this type of work in the State of RI.

This is one (1) violation of RIGL 28-27-28 Practices for which a license is required.

Ferreira, Eric A—Violation 5426 Eric Ferreira was in attendance.

LOCATION OF VIOLATION: Cumberland Farms, 3323 So. County Trail, E. Greenwich, RI. 02818

VIOLATION: On 1-26-16, I, Nicholas Ranone, Chief Mechanical Investigator, made a site visit to the above mentioned location and witnessed Mr. Peter M. Meunier and Mr. Eric A. Ferreira, two (2) employees of SS Service Corp., Taunton, MA., doing sheet metal work in the attic for the HVAC system. I spoke with Mr. Paul Santos, Vice President of SS Service Corp., about having unlicensed employees on this job site. He said he would remove them from the job.

Mr. Ferreira does not hold a RI sheetmetal license that would allow him to do this type of work in the State of RI.

This is one (1) violation of RIGL 28-27-28 Practices for which a license is required.

Nicholas Ranone reads the violations. Four photographs entered into the record as Exhibit A for Violations 5424, 5425 and 5426. Nicholas Ranone is questioned by the Board and testifies. Mr. Santos, Mr. Meunier and Mr. Ferreira are questioned by the Board and all testify.

Regarding Violation 5424, a motion was made by Charles Wright that a violation did occur. Anthony Vessella seconded the motion and the

Board unanimously agreed.

Regarding the fine for Violation 5424, a motion was made by Steven Gray to uphold the fine for \$1,500.00. Anthony Vessella seconded that motion and the Board unanimously agreed.

Regarding Violation 5425, a motion was made by Charles Wright that a violation did occur. Michael Januario seconded that motion and the Board unanimously agreed.

Regarding the fine for Violation 5425, a motion was made by Steven Gray to suspend the fine of \$1,500.00 for one (1) year pending no further violation(s). Stanley Davies seconded that motion and the Board unanimously agreed.

Regarding Violation 5426, a motion was made by Charles Wright that a violation did occur. Anthony Vessella seconded that motion and the Board unanimously agreed.

Regarding the fine for Violation 5426, a motion was made by Steven Gray to suspend the fine of \$1,500.00 for one (1) year pending no further violation(s). Stanley Davies seconded that motion and the Board unanimously agreed.

5.) Revocation / Suspension Hearings for unpaid fines

Michael M Jean—Violation 4462 Mr. Jean was not present.

Mr. Jean contacted Chief Nicholas Ranone on the morning of this hearing. He asked for a continuance.

It is the recommendation of Mr. Ranone that this matter be rescheduled for the May 4, 2016 meeting.

Regarding Violation 4462 Charles Wright made a motion to reschedule with the intention that the hearing will continue in his absence if Mr. Jean calls to reschedule again. This motion was seconded by Stanley Davies and the Board unanimously agreed.

6.) Petition the Board for Examination

Kenneth Bousquet and Anthony Gesualdi want to Petition the Board to take a Refrigeration Examination.

Nicholas Ranone is questioned by the Board and testifies. Mr. Bousquet is questioned by the Board and testifies. Mr. Anthony Gesualdi is questioned by the Board and testifies.

Charles Wright made a motion that relative to the facts that have been presented to the Board, he can see no way either one of the individuals can sit for the Board. Steven Gray seconded that motion and the Board unanimously agreed.

7.) Old Business - Review of proposed changes to Rules & Regulations and proposed licenses:

There was discussion by the Board.

8.) Adjournment: Motion to adjourn made by Charles Wright; seconded by Anthony Vessella. All were in favor. The meeting adjourned at 10:04am.